## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	4:00CR3008
Plaintiff,	)	
	)	
V.	)	
	)	<b>MEMORANDUM</b>
JAIME TORRES,	)	AND ORDER
	)	
Defendant.	)	

I will deny the "Motion for Reduction of Sentence Pursuant to 18 U.S.C. § 3582(c)" (filing 73) because the defendant does not fit within the categories covered by that statute. I also note that the defendant has previously filed an unsuccessful § 2255 motion (filings 50, 53, 54) and the Court of Appeals denied the defendant's application for a certificate of appealability. (Filings 63 and 64.) In addition, I observe that the Court of Appeals earlier denied the defendant's petition for authorization to file a successive post-conviction motion. (Filings 71 and 72.) Accordingly,

IT IS ORDERED that the defendant's "Motion for Reduction of Sentence Pursuant to 18 U.S.C. § 3582(c)" (filing 73) is denied.

January 8, 2009. BY THE COURT:

s/Richard G. Kopf
United States District Judge